

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEREK JAMES RIGHT HAND,

Defendant.

**CR-16-13-GF-BMM**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on April 7, 2022. (Doc. 68.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on April 7, 2022. (Doc. 66.) The United States accused Derek Right Hand (Right Hand) of violating his

conditions of supervised release 1) viewing materials depicting sexually explicit conduct on two separate occasions; 2) by failing to successfully complete his sex offender treatment program; 3) by consuming alcohol; and 4) by using marijuana and methamphetamine. (Doc. 62.)

At the revocation hearing, Right Hand admitted that he had violated the conditions of his supervised release 1) viewing materials depicting sexually explicit conduct on two separate occasions; 2) by failing to successfully complete his sex offender treatment program; 3) by consuming alcohol; and 4) by using marijuana and methamphetamine. (Doc. 66.) Judge Johnston found that the violations Right Hand admitted proved to be serious and warranted revocation, and recommended that Right Hand receive a custodial sentence of 6 months, with 44 months of supervised release to follow. Right Hand should serve the first 60 days of supervised release in a secure inpatient drug treatment facility. (Doc. 68.) Right Hand was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 66.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 68) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Derek James Right Hand be sentenced to the Bureau of Prisons for 6 months, with 44 months of supervised release to follow. Right Hand

should serve the first 60 days of supervised release in a secure inpatient drug treatment facility

DATED this 25th day of April, 2022.

A handwritten signature in blue ink that reads "Brian Morris". The signature is written in a cursive, flowing style.

---

Brian Morris, Chief District Judge  
United States District Court